

Amendment No. 1 to SB3290

McNally  
Signature of Sponsor

**AMEND Senate Bill No. 3290**

**House Bill No. 3181\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-39-211, is amended by adding the following as a new subsection:

( )

(1) While mandated to comply with the requirements of this part, no sexual offender, as defined in § 40-39-202, or violent sexual offender, as defined in § 40-39-202, shall establish a primary or secondary residence with two (2) or more other such offenders, or where two (2) or more other such offenders currently reside.

(2) No person, corporation or other entity shall knowingly permit more than three (3) sexual offenders, as defined in § 40-39-202, violent sexual offenders, as defined in § 40-39-202, or a combination thereof; while such offenders are mandated to comply with the requirements of this part, to establish a primary or secondary residence in any house, apartment or other habitation, as defined by 39-14-401(A)(1), owned or under the control of such person, corporation or entity.

(3) The provisions of this subsection shall not apply to any residential treatment facility in which more than three (3) sexual offenders, as defined in § 40-39-202, violent sexual offenders, as defined in § 40-39-202, or combination thereof, reside following sentencing to such facility by a court or placement in such facility by the board of probation and parole for the purpose of in-house sexual offender treatment; provided the treatment facility complies with the guidelines and

standards for the treatment of sexual offenders established by the sex  
offender treatment board pursuant to § 39-13-704.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it